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ATTORNEY'S DOCKET NO. HAN815-112/02116

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Box Patent Application
Assistant Commissioner of Patents
Washington, DC 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of:

Inventor(s): Gerhard Schubert

For (title): PACKAGING MACHINE

1. **Type of Application**

This new application is for a(n)

X Original (nonprovisional)

___ Design

___ Plant

2. **Papers Enclosed**

A. Required for filing date under 37 C.F.R. Section 1.53(b) (Regular) or 37 C.F.R. Section 1.153 (Design) Application

7 Pages of specification

2 Pages of claims

2 Sheets of drawing

___ The enclosed drawing(s) are photograph(s) and there is also attached a PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S) 37 C.F.R. 1.84(b)

XX informal
formal

B. Other Papers Enclosed

2 Pages of declaration and power of attorney

1 Pages of abstract

___ Other

EXPRESS MAIL: Mailing Label No. EL779650640US

Date of Deposit: 22 February 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Director for Patents, Box: New Application, Washington, DC 20231 by:

Amy Miles

3. **Additional Papers Enclosed**

- _____ Amendments to claims
- _____ Cancel in this application claims _____ before calculating the filing fee. (At least one original independent claims must be retained for filing purposes).
- _____ Add the claims shown on the attached amendment. (Claims added have been numbered consecutively following the highest numbered original claims.)
- XX Preliminary Amendment
- Information Disclosure Statement (37 C.F.R. Section 1.98)
- Form PTO-1449 (PTO/SB/08A and 09B)
- _____ Citations
- _____ Declaration of Biological Deposit
- _____ Submission of "Sequence Listing" computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- _____ Authorization of Attorney(s) to Accept and Follow Instructions from Representative
- _____ Special Comments
- _____ Other

4. **Declaration of oath (including power of attorney)**

- XX Enclosed
- Executed by
- XX inventor(s)
- _____ legal representative of inventor(s) 37 CFR Sections 1.42 and 1.43
- _____ joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.
- _____ This is a petition required by 37 CFR Section 1.47 and the statement required by 37 CFR Section 1.47 is also attached. See item 13 below for fee.
- Not Enclosed

5. **Inventorship Statement**

The inventorship for all of the claims in this application are:

XX The Same

Or

- _____ Not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,
- _____ is submitted
- _____ will be submitted

6. **Language**

- English
- XX Non-English
- XX The attached translation includes a statement that the translation is accurate. 37 CFR 1.52(d)

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7. **Assignment**

XX An assignment of the invention to: ✓
GERHARD SCHUBERT GMBH
XX is attached
— A Separate COVER SHEET is attached
will follow

8. **Certified Copy**

Certified copy(ies) of the application(s)

Country	Application No.	Filed
German	201 03 180.9	22 February 2001

from which priority is claimed
XX will follow
is(are) attached.

9. **Fee Calculation**

A. Regular Application

Number Filed	Number of Extra	Rate	Basic Fee \$740
Total	10	\$18	740
Independent	1	\$84	
Multiple Dependent		\$280	

— Amendment cancelling extra claims is enclosed
— Amendment deleting multiple-dependencies is enclosed
— Fee for extra claims is not being paid at this time.

FILE FEE CALCULATION \$740.00

B. Design Application

FILE FEE CALCULATION _____

C. Plant Application

FILE FEE CALCULATION _____

10. **Small Entity Statement**

XX Applicant herein states that it is entitled to small entity status as required under
37 CFR 1.27

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1. **Request for International-Type Search**

____ Please prepare an international-type search report for this application at the time when national examination on the merits on takes place

12. **Fee Payment Being Made at This Time**

____ Not Enclosed

XX Enclosed

XX Filing fee \$ 370.00

XX Assignment \$ 40.00

____ Petition fee for filing other than all
of the inventors \$

____ For processing an application with a
specification in a non-English language \$

____ Processing and retention fee \$

____ Fee for international-type search report \$

TOTAL \$ 410.00

13. **Method of Payment of Fees**

XX Check in the amount of \$ 410.00

Charge Account No. 08-1500 in the amount of

14. **Authorization to Charge Additional Fees**

XX The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 08-1500

XX filing fees 37 CFR Section 1.16(a), (f) or (g)

XX presentation of extra claims 37 CFR Section 1.16(b), (c) and (d)

XX surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application 37 CFR Section 1.16(e)

XX extension fees pursuant to Section 1.135(a) 37 CFR Section 1.17(a) (1-5)

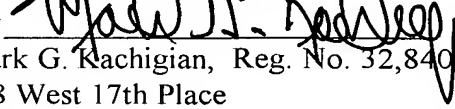
XX application processing fees 37 CFR 1.17

15. **Instructions as to Overpayment**

XX Credit Account No. 08-1500

HEAD, JOHNSON & KACHIGIAN

Dated: 22 February 2002

By: 
Mark G. Kachigian, Reg. No. 32,840
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Tulsa, Oklahoma 74119
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Customer No. 24118

Relate Back – 35 USC Section 119 Priority Claim for Prior Application

The prior German application, including any prior international Application designating the US, identified above in item 17B in turn itself claim(s) foreign priority(ies) as follows:

Country	Application No.	Filed
German	201 03 180.9	22 February 2001

The certified copy(ies) has(have) been

_____ filed on _____, in prior application No. _____
is attached hereto
XX will follow

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IN THE UNITED STATES PATENT AND TRADE MARK OFFICE

VERIFICATION OF TRANSLATION

I, Michael Wallace Richard Turner, Bachelor of Arts, Chartered Patent Attorney, European Patent Attorney, of 1 Horsefair Mews, Romsey, Hampshire SO51 8JG, England, do hereby declare that I am conversant with the English and German languages and that I am a competent translator thereof;

I verify that the attached English translation is a true and correct translation made by me of the attached documents in the German language;

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: February 15, 2002

MWR Turner

M W R Turner

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